

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WISCONSIN

QUORDALIS V. SANDERS,

Plaintiff,

v.

Case No. 23-cv-1730-pp

JUDGE J.P. STADTMUELLER,

Defendant.

ORDER REQUIRING PLAINTIFF TO PAY FILING FEE

Plaintiff Quordalis V. Sanders, who is incarcerated at Waupun Correctional Institution and is representing himself, filed this lawsuit under 42 U.S.C. §1983. Dkt. No. 1. The cost of filing a civil lawsuit in federal court is \$405, which includes the \$350 statutory filing fee and a \$55 administrative fee. The plaintiff did not submit payment for this case at the time he filed the complaint, nor did he file a motion to proceed without prepaying the filing fee.

The Prison Litigation Reform Act (“PLRA”) applies to this case because the plaintiff was incarcerated when he filed the lawsuit. See 28 U.S.C. §1915(h). Under the PLRA, an incarcerated person may not bring a civil lawsuit or appeal a civil judgment without prepaying the filing fee:

if the prisoner has, on 3 or more prior occasions, while incarcerated or detained in any facility, brought an action or appeal in a court of the United States that was dismissed on the grounds that it is frivolous, malicious, or fails to state a claim upon which relief may be granted, *unless the prisoner is under imminent danger of serious physical injury*.

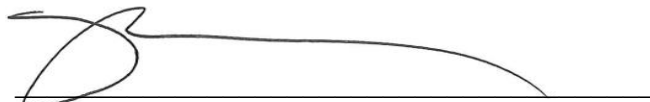
28 U.S.C. §1915(g) (emphasis added). Commonly known as the “three-strikes” provision, an incarcerated individual is said to have “struck out” once he has accrued three strikes under this section.

Court records show that the plaintiff has accumulated three strikes: (1) Sanders v. Shabaz, Case No. 02-cv-318 (W.D. Wis.) (dismissed with prejudice on July 3, 2002, and strike issued); (2) Sanders v. Bertrand, Appeal No. 02-3010 (7th Cir.) (appeal dismissed as frivolous on March 27, 2003); (3) Sanders v. Bertrand, Appeal No. 02-2944 (7th Cir.) (appeal dismissed as frivolous on June 27, 2003). Further, although the plaintiff's complaint is difficult to read, the court does not discern any meaningful allegations in the complaint of an imminent danger of serious physical injury. 28 U.S.C. §1915(g). The plaintiff is ineligible for the exception to the "three strikes" provision under 28 U.S.C. §1915(g) and he must pay the full civil case filing fee in full to proceed with this lawsuit.

The court **ORDERS** that the plaintiff wants to proceed with this case, he must submit to the Clerk of Court the \$405 civil case filing fee in full and in time for the court to *receive it* by the end of the day on January 26, 2024. No further action will be taken in this case until payment is received. The court **ORDERS** that if the plaintiff does not pay the \$405 filing fee by the end of the day on January 26, 2024 the court will dismiss this case without prejudice and without further notice.

Dated in Milwaukee, Wisconsin this 4th day of January, 2024.

BY THE COURT:

A handwritten signature in black ink, appearing to be 'P. Pepper', written over a horizontal line.

HON. PAMELA PEPPER
Chief United States District Judge